PUBLIC NOTICES
"BECAUSE THE PEOPLE MUST KNOW"

PUBLIC NOTICE
Resolution No. 89-215
Uintah and Ouray Agency
Fort Duchesne, Utah

WHEREAS, the Ute Indian Tribe Fish and Wildlife Advisory Board of the Uintah and Ouray Reservation, having made due and thorough investigation and received recommendations from Tribal Fish and Wildlife personnel and other qualified persons find that certain rules and regulations are necessary for the conservation and wise use of the fishing and boating resources on the Uintah and Ouray Reservation; and

WHEREAS, the Ute Indian Tribe Fish and Wildlife Advisory Board, by Resolution No. 89-05, November 27, 1989 enacted rules and regulations governing fishing, boating, and camping by both members and non-members of the Ute Indian Tribe, including those whose names appear on the final mixed blood membership roll published in the Federal Register pursuant to the Act of August 27, 1954, Ch. 1009, 68 Stat. 868, created on May 12, 1956 (hereinafter Mixed Bloods); and

WHEREAS, such rules and regulations require approval of the Business Committee of the Ute Indian Tribe to become effective.

NOW, THEREFORE BE IT RESOLVED BY THE UINTAH AND OURAY TRIBAL BUSINESS COMMITTEE OF THE UTE INDIAN TRIBE that the 1990 Fishing, Boating, and Camping Proclamation, as set forth in the attached rules and regulations, is hereby put in place and shall be in full force and effect as of January 1, 1990 through December 31, 1990.

BE IT FURTHER RESOLVED that members and non-members of the Ute Indian Tribe who violate any rules and regulations set forth in this Proclamation or contained in Title VIII of the Ute Law and Order Code will be prosecuted under applicable federal and tribal laws.

BE IT FURTHER RESOLVED that any regulation contained herein may be altered, mondified or amended by subsequent action of the Business Committee.

(Absent)
Luke J. Duncan, Chairman — Curtis Cesspooch, Vice Chairman
Floyd Wopsock, Member — Gary Poowegup, Sr., Member
(Absent)
Stewart Pike, Member — Alvin Pinnecoose, Member

CERTIFICATION

I hereby certify that the above resolution was adopted by the Uintah and Ouray Tribal Business Committee under authority of the Constitution and By-Laws of the Ute Indian Tribe at a meeting held in Fort Duchesne, Utah on the 28th day of December, 1989, at which time a quorum was present and voted 4 FOR and 0 AGAINST.

KAREN S. CHALFANT
Secretary
Ute Tribal Business Committee

Resolution No. 89-05
Uintah and Ouray Agency
Ft. Duchesne,
Utah

WHEREAS, the Ute Indian Tribe Fish and Wildlife Advisory Board of the Uintah and Ouray Indian Reservation having made due and thorough investigation and received recommendation from Fish and Wildlife personnel and other qualified persons find that certain rules and regulations are necessary for the conservation and wise use of the fishing and outdoor recreation resources on the Uintah and Ouray Reservation.

NOW, THEREFORE, BE IT RESOLVED BY THE UTE INDIAN TRIBE FISH AND WILDLIFE ADVISORY BOARD that by virtue of authority granted to it under Title VIII of the Ute Law and Order Code, hereby proclaims the following rules and regulations to be in full force and effect as January 1, 1990 through December 31, 1990, unless otherwise specified.

BE IT FURTHER RESOLVED that the Proclamation applies to Tribal members, non-members of the Ute Indian Tribe, and Mixed Bloods that are on the final Mixed Blood roll (except as noted) while upon trust lands of the Ute Indian Tribe.

BE IT FURTHER RESOLVED that this Proclamation applies to Tribal members and Mixed Bloods within the exterior boundaries of the Uintah and Ouray Reservation, Utah.

BE IT FURTHER RESOLVED that Ute Tribal members and Mixed Bloods may take fish within the exterior boundaries of the reservation with a Tribal license or permit subject to the regulations listed below, except that when taking fish off of the trust lands, Ute Tribal members and Mixed Bloods shall be subject to the following daily bag and possession limits:

1. Trout and salmon in the aggregate	8 fish
2. Whitefish	20 fish
3. Channel catfish	24 fish
4. Largemouth and smallmouth bass in the aggregate	6 fish
5. Bluegill and green sunfish in the aggregate	20 fish
6. Walleye	6 fish

BE IT FURTHER RESOLVED that members of other federally recognized tribes are bound by the provisions of this Proclamation and may be cited into Tribal Court for violations thereof.

1. GENERAL REGULATIONS

A. The taking of fish by angling on the trust lands under the jurisdiction of the Ute Indian Tribe shall occur only during the time of one-half hour before official sunrise to one hour after official sunset of each day.

B. In the interest of conservation, a tributary or portion of any reservoir may be closed to fishing or boating by posting the area and giving notice in at least one issue of a local newspaper.

C. Firearms and archery equipment shall be prohibited on the reservation for non-members EXCEPT persons hunting within established seasons under permit. Hunting or shooting shall be prohibited on, or within one-half mile of all lakes, reservoirs, and designated camping areas within the reservation year-round.

D. Travel on trust lands of the reservation by non-member permit holders is restricted to designated access roads to fishing and camping areas only.

E. All terrain vehicles, i.e. motorcycles, three-wheelers, quadrunners, and snowmobiles, are prohibited on or within all recreational areas on the reservation, including designated access roads.

F. All dogs within designated camping and fishing areas must be under control of the owner.

G. Any non-member of the Ute Indian Tribe who violates any of the rules and regulations in this Proclamation may have his/her permit revoked for a period of one year. Tribal members, non-members of the Ute Indian Tribe, and Mixed Bloods who violate any of the rules and regulations will be cited for appropriate violation.

2. BAG LIMIT

A. Daily bag and possession limits applicable to NON-MEMBERS of the Ute Indian Tribe:

	BAG	POSSESSION
Trout and salmon in the aggregate	8	16
Whitefish	10	20
Channel Catfish	24	48
EXCEPT Bottle Hollow Reservoir	10	20
Bass, smallmouth and largemouth in the aggregate	10	20
Walleye	6	12
Crayfish, Crawfish, Crawdad	50	100

A. The daily bag or possession limit for children eleven (11) years of age and under shall be four (4) fish regardless of weight, size or species. Children seven (7) to eleven (11) years of age have the option to purchase a permit which will entitle them to the full bag possession limits specified above. For children six (6) years of age and under, the daily bag and possession limit must be included in the limit of the licensed angler who accompanies the children.

B. Daily bag and possession limits applicable to MEMBERS of the Ute Indian Tribe, including Mixed Bloods who are on the final Mixed Blood roll:

	BAG	POSSESSION
Trout and salmon in the aggregate	No Limit	
EXCEPT Towave Reservoir, Weaver Reservoir, Hill Creek Extension Streams	16	32
Whitefish	No Limit	
Channel catfish	No Limit	
Bass, smallmouth and largemouth in the aggregate	10	20
Walleye	6	12
Crayfish, Crawfish, Crawdads	No Limit	

C. Endangered and protected species CLOSED to angling: Colorado squawfish; humpback chub; bony-tail chub; razorback sucker; and greenback cutthroat.

3. SEASONS AND AREAS OPEN TO ANGLING

A. Areas of reservation open to NON-MEMBERS for angling year round:

Bottle Hollow Reservoir, Midview Reservoir, Twin Potts Reservoir, Clay Basin Pond, Gulf Ponds, Lake Fork Pond, Duchesne River, Green River (Ouray area only), Lake Fork River, Uintah River, White River, Whiterocks River, and Yellowstone River.

B. Areas of open to NON-MEMBERS April 7, 1990 to October 1, 1990:

Big Springs and Ponds, Cedarview Reservoir, Pole Creek, Rock Creek, Strawberry River, Towave Reservoir, and Hill Creek north of Towave Reservoir.

Hill Creek Extension Streams: June 9, 1990 to October 1, 1990

Weaver Reservoir: May 26, 1990 to September 30, 1990

C. Areas open to MEMBERS of the Ute Indian Tribe and Mixed Bloods who are on the final Mixed Blood roll for angling year round:

Bottle Hollow Reservoir, Midview Reservoir, Towave Reservoir, Twin Potts Reservoir, Clay Basin Pond, Gulf Ponds, Lake Fork Pond, Duchesne River, Green River (Ouray areas only), Lake Fork River, Pole Creek, Strawberry River, Uintah River, White River, Whiterocks River, Yellowstone River, and Hill Creek north of Towave Reservoir.

D. Limited season areas open to MEMBERS and Mixed Bloods:

Big Springs and Ponds, Cedarview Reservoir, and Rock Creek: April 7, 1990 to November 4, 1990.

Hill Creek Extension Streams: June 9, 1990 to November 4, 1990.

Weaver Reservoir: May 26, 1990 to November 4, 1990

Green River, from the mouth of Chandler Canyon south to the mouth of Florence Creek: June 1, 1990 to August 31, 1990.

E. Areas CLOSED year round for members, non-members, and Mixed Bloods:

Dick Hollow Creek, McAfee Basin, Chandler Creek, Corral Creek, Florence Creek, Pioche Creek, and Hill Creek south of Weaver Reservoir.

4. SPECIAL REGUALATIONS/RESTRICTIONS

A. That portion of the Green River from Chandler Canyon to Florence Creek is open to angling only, for members of the Ute Indian Tribe and Mixed Bloods who are on the final Mixed Blood roll. All canyons and rim areas beginning at the head of Chandler Canyon drift fence west to the Green River, and from those areas south to Coal Creek are closed to all hunting.

5. PROHIBITIONS

A. Crawfish: Bottle Hollow Reservoir and Cedarview Reservoir shall be the only waters open for the taking of crawfish. Crawfish may be taken by the use of either one hook and line, one dip net, or one minnow trap. Crawfish may be taken only during the time of one-half hour before official sunrise to one hour after official sunset of each day.

B. The use of corn as bait for fish is prohibited.

C. The use of live or dead minnows, game or non-game fish, or parts thereof, or preserved fish or parts thereof as bait is prohibited.

D. Chumming is prohibited on reservation waters.

E. It is unlawful to take or attempt to take game fish by any means other than angling. Angling means fishing with one rod, pole, or troll board, held in the hand or attended by the persons angling. Each rod, pole, and troll board can have no more than two artificial flies, or one mechanical lure. No lure shall have more than three gang hooks. Attended means the angler shall be within ten (10) feet of equipment being used at all times.

F. Snagging and gaffing are illegal. Snag or gaff hooks are hooks, with or without a handle, used to take fish in such a manner that fish do not take the hook voluntarily in the mouth.

G. Carp, suckers, Utah chub, and bullhead catfish may be taken for personal, non-commercial use from waters open to angling by angling and/or other methods EXCEPT gill nets, trammel nets, trawl nets, hoop nets, fyke nets, seine nets, electrical devices, chemicals, explosives, or firearms. One set line for the taking of carp, suckers, and catfish may be used only on the Green River, and then only if the line is attended at all times. A set line shall have no more than ten (10) hooks.

6. PENALTIES

A. Tribal members and non-Ute Tribe Indians: Any Ute Tribal members, or Indians of any federally recognized tribe, violating any of the rules and regulations set forth herein are subject to prosecution to consist of imposition of a $200 fine and/or imprisonment for a period not exceeding 90 days for each violation, and loss of all hunting and fishing paraphernalia and game confiscated at the time of arrest. In addition, violations may result in losing his/her privileges for a period of two years, after due notice and hearing before Tribal Court.

B. Mixed Bloods, terminated members of the Ute Indian Tribe: Any authorized Tribal Fish and Wildlife Officers with reasonable cause to believe that a Mixed Blood has violated any rules or regulations set forth in this Proclamation or contained in Title VIII of the Ute Law and Order Code, shall place such Mixed Blood in the custody of the proper federal agency for enforcement and prosecution under applicable federal and Tribal laws.

C. Punitive and Compensatory Damages

a. Nothing in this Proclamation shall preclude the Tribe from paying for and being awarded punitive and compensatory damages in addition to imposition of a sentence in any action filed for a violation of this Proclamation or under separate suit wherein it is alleged that the perpetrator performed the act wantonly, willfully, or maliciously.

b. The Court, in assessing punitive and compensatory damages, shall determine the amount in the same manner in which it would determine punitive and compensatory damages in any civil action.

D. Enforcement

a. Police Officers, Tribal Conservation Officers, and Federal Law Enforcement Officers are herewith bestowed the authority to enforce the provisions of this Proclamation, and shall be referred to hereafter as "authorized officers."

b. Any authorized officer may in carrying out the intent and purpose of the Proclamation:

(1) Executive bench warrants issued for the detention of persons or entities acting in contravention of this Proclamation;

(2) Serve subpoenas or other legal documents issued in matters arising under this Proclamation;

(3) Seize any paraphernalia used in a violation of this Proclamation as evidence and security for payment of any fines or damage payments imposed pursuant hereto.

E. Enforcement Procedures

a. If an authorized officer determines that a particular person has acted in contravention of this Proclamation, such officer shall issue to the damaging or violating party a "Notice to Appear," to answer for the acts alleged.

b. Suspected violators or damage contributors shall sign the "Notice to Appear," and if not arrested for expulsion, trial, or federal prosecution, shall be escorted from the place of infraction and released. In the event a person the subject of a "Notice of Appear" shall refuse to sign the same, the serving officer shall make note of the attempted service, the time and location thereof, and the refusal of the served person to accept service, where upon effective personal service shall be presumed.

F. Other Sanctions

a. Contempt: All persons party to actions brought under this Proclamation, whether members of non-members, shall be subject to the civil contempt power of the Tribal Court, and may be sanctioned by any means provided for in the Ute Law and Order Code for civil contempt, including, but not limited to, imprisonment to compel compliance with a lawful court order.

b. Trespassing: Violation of this Proclamation by non-members of the Tribe triggers spontaneous revocation of any priorly granted permission to enter the Reservation and renders the violator as a trespasser.

c. Expulsion: Nothing in this Proclamation shall be deemed to preclude the use of the remedy of expulsion of non-members for violation of this Proclamation under the Ute Law and Order Code, and any authorized officer may follow the procedures provided by the Law and Order Code to initiate any action for expulsion in addition to or in lieu of any other enforcement procedure provided for by this Proclamation.

d. Levy Against Property: In the event a person or entity violating this Proclamation shall fail to comply with an issued "Notice to Appearance," fail to remit any and all compensatory and/or punitive damages imposed hereunder, fail to depart the Reservation upon a finding of expulsion, commit a trespass, fail to comply with an order of the Tribal Court for civil contempt, or have been found guilty of an offense hereunder, nothing herein shall preclude the Tribal Court from attaching such person's confiscated or on reservation property in lieu of sums owed the Tribe or to assure the offending parties compliance with this Proclamation or orders of the Tribal Court.

e. Non-Indians (including Mixed Bloods, non-members of an Indian tribe): Non-Indians, including Mixed Bloods who are not enrolled Indians, who violate any of the rules and regulations above set forth, or who are apprehended hunting without a permit validly issued in accordance with this Proclamation are subject to the following federal statutes:

18 U.S.C. 1164: Destroying Boundary and Warning Signs "Whoever willfully destroys, defaces, or removes any sign erected by an Indian tribe, or a government agency (1) to indicate the boundary of an Indian reservation or of any Indian country as defined in Section 1151 of this title, or (2) to give notice that hunting, trapping, or fishing is not permitted thereon without lawful authority or permission, shall be fined not more than $250 or imprisoned not more than six months, or both."

18 U.S.C. 1165: Hunting, Trapping, or Fishing on Indian Land "Whoever, without lawful authority or permission, willfully and knowingly goes upon any land that belongs to any Indian or Indian tribe, band, or group and either are held by the United States in trust or are subject to a restriction against alienation imposed by the United States, or upon any lands of the United States that are reserved for Indian use, for the purpose of hunting, trapping, or fishing thereon, or for the removal of game, peltries or fish therefrom, shall be fined not more than $200 or imprisoned not more than ninety days, or both, and all game, fish, and peltries in his possession shall be forfeited."

16 U.S.C. 3371, et seq: Pursuant to 16 U.S.C. 3372, any person importing, exporting, transporting, selling, receiving, acquiring, purchasing, or possessing game in violation of this Proclamation may be subject to a civil penalty of $10,000 for each violation or criminal prosecution seeking a fine of $20,000 and/or imprisonment for not more that five years.

7. PERMITS

A Fishing

a. Tribal angling permits must be in a fisherman's possession in order to angle upon trust lands of the Uintah and Ouray Reservation.

b. Non-members of the Ute Indian Tribe, 12 years of age and over, shall be required to purchase a fishing permit from the Ute Indian Tribe in order to angle in any waters lying within the trust land of the Uintah and Ouray Indian Reservation.

c. The Ute Tribe only requires non-members, excluding Mixed Bloods who are on the final Mixed Blood roll to purchase a tribal fishing permit while angling upon trust lands of the Uintah and Ouray Reservation.

d. The 1990 Ute Tribal fishing permit expires December, 31, 1990.

B. Camping

a. Camping permits are required by non-members of the Ute Indian Tribe who desire to camp within the reservation, but are included in daily and seasonal fishing permits. Use of those camping privileges, including within a seasonal fishing permit, are limited to camping by a permit holder for a period not to exceed seven (7) twenty-four (24) hour periods within any given thirty (30) twenty-four (24) hour period.

b. In the event a seasonal fishing permit holder shall violate the seven (7) day per thirty (30) day camping restriction above imposed, such permit holder shall be subject to immediate revocation and forfeiture of said permit, expulsion from the reservation, and prosecution as a trespasser upon tribal lands.

c. Fishing and camping by non-members are authorized only in designated fishing and camping areas. Access to any areas other than designated fishing and camping areas on the reservation is prohibited.

d. Group reunions or organizations using the picnic and camping areas require permits. Reservations shall be made through the Ute Indian Tribe Fish and Wildlife Department, Ft. Duchesne, UT 84026, 801-722-3941.

e. Non-members who are in the immediate family of an enrolled member of the Ute Indian Tribe or Mixed Blood on the final roll may camp with said member or use picnic areas of the Uintah and Ouray Reservation without cost of a permit. Immediate family shall be defined to include only the spouse and such children under the age of 18 years of the permit holder.

f. Immediate family of non-member permit holders may camp with said permit holder or use picnic areas without cost of a permit. Immediate family shall be defined to include only the spouse and such children under the age of 18 years of the permit holder.

C. Permit Fees

a. Season fishing, including camping permits:

(1) 16 to 64 years of age	$18.00
(2) 12 to 15 years of age	$11.00
(3) 65 years of age and over	$ 6.00

b. Daily fishing, including camping permits:

1 - day	$4.00
2 - day	$5.00
3 - day	$6.00
4 - day	$7.00
5 - day	$8.00
6 - day	$9.00
7 - day	$10.00

c. Camping permits

(1) Family camping, 1 to 7 days, per day	$5.00
(2) Group camping:	
Group of 5 or less	$10.00
Group of 6 to 10	$15.00
Group of 11 to 15	$20.00
Group of 16 to 20	$25.00
Group of 21 to 30	$30.00
Groups greater than 30	$50.00
For each additional day	$ 5.00

d. Non-member boaters wishing to camp on Tribal trust lands along the Green River in Desolation/Gray Canyons must purchase a Ute Tribal camping permit. Camping permit is valid to within one-quarter mile of the bank of the Green River.

(1) Group of 1 to 10	$5.00 per day
(2) Group of 11 or more	$10.00 per day
e. Recreation/day use permit (per person)	$2.00

Persons wishing to utilize facilities on the Uintah and Ouray Reservation for picnicking, swimming, scuba diving, etc., and have not purchased a tribal fishing or camping permit will be required to have a recreation/day use permit in their possession.

8. BOATING

A. All non-members of the Ute Indian Tribe, including Mixed Bloods who are on the final Mixed Blood roll, must purchase a Ute Tribal boating permit to operate boats on waters of the Uintah and Ouray Reservation.

B. Areas of Boating

Bottle Hollow Reservoir	with or without motors
Midview Reservoir	with or without motors
Cedarview Reservoir	with electric motors or without motors
Twin Potts Reservoir	with electric motors or without motors
Big Spring Ponds	CLOSED
Clay Basin Ponds	CLOSED
Towave Reservoir	CLOSED
Weaver Reservoir	CLOSED

C. Angling from floating waders is allowed. Angling from all other floating devices is prohibited.

D. Boating Permit Fees

a. Season permit:

(1) Boats with motors greater than 10 horsepower and jet skiis	$35.00
(2) Sailboats, windsurfing boards, and boats without motors or motors less than 10 horsepower	$15.00

b. Day permit

(1) Boats, with or without motors	$5.00

E. Operation Requirements

a. Rules and regulations of the U.S. Coast Guard governing the use and safety requirements of boats will be enforced where applicable.

b. No person shall operate motorboats or vessels or manipulate any water ski or similar device in a reckless or negligent manner or while under the the influence of any alcoholic beverages, narcotic drugs, barbituate, or marijuana.

c. No person shall operate a motorboat for the purpose of towing a skier:

(1) Unless he can maintain a safe course with proper lookout, and be aware of the progress of his skier through the proper use of a competent observer who is at least eight (8) years of age;

(2)Between sunset and sunrise;

(3) In such manner as to cause tow rope, skis or skier to collide with any object or person.

d. No person shall operate any motorboat in excess of a slow, wakeless speed within 150 feet of another boat, dock launching area, designated slow areas, person, swimmer, skier, fisherman, or his equipment.

e. No person shall operate a motorboat faster than a slow, wakeless speed while any passenger is riding on exterior surface of the boat such as the bow decking, gunwales, tramson or motor cover or standing, unless the boat is more than 16 feet in length, and is equipped with adequate safeguards and railings to prevent such passengers from falling overboard.

f. No person shall operate or offer for rent any vessel or motorboat which is overloaded, overpowered, or unseaworthy, taking into consideration capacities, weather, type of construction, or other existing conditions. In prevention of mishaps occurring on reservation waters, because of overloaded and overpowered motorboats or vessels, the Ute Tribe Fish and Wildlife Conservation Officers may determine the safety of motorboats or vessels in reservation waters and prevent launching of said vessels.

g. Boat operators shall not allow swimming from an unanchored vessel unless there is at least one person left aboard who is capable of operating it properly.

h. No person, other than a Tribal Conservation Officer while in the performance of his duty, shall operate an air boat on reservation waters.

i. Boat operators shall not enter areas designated "Boats Keep Out."

j. Boat operators shall conform with the instructions on a marker displaying an orange circle on a white background.

k. No person shall operate a motorboat on the waters of this reservation while his vision in the direction of travel is obstructed.

l. No person shall allow his vessel to occupy space at any public loading dock in excess of a 15 minute period unless authorized by the officer in charge.

m. Every motorboat, vessel and sailboat shall be registered, properly numbered, and have a current certificate of number (registration card) aboard, and a valid Ute Tribal permit sticker (stickers must be attached on the boat or vessel when in operation).

F. Personal Floating Devices (PFD's)

a. No person may operate or give permission to operate a vessel, sailboat, or motorboat less than 16 feet in length, or a canoe or kayak unless at least one Type I Life Preserver, Type II Buoyant Vest, Type III Special Purpose Water Safety Buoyant Device or Type IV Bouyant Cushion or Ring Life Buoy is on board for each person.

b. Each child passenger under the age of 12 years of age must a proper fitting coast guard approved Type I, II, III PFD when aboard any vessel except when inside the cabin or cockpit or those over 26 feet in length.

c. Each person being towed on water skies, aquaplane, or similar devices, a coast guard approved Type I, II, III PFD is recommended. Foam water sports jacket or foam wet suit will be accepted if there is an approved device aboard for such person as required.

9. SCUBA DIVING

A. Scuba diving will be permitted in Bottle Hollow Reservoir ONLY. Each scuba diver must obtain a recreation/day use permit to dive in reservation waters.

B. Scuba diving will only be permitted during daylight hours.

10. OTHER

The Ute Indian Tribe will not be responsible for loss of property, personal injury, or loss of life due to negligence or failure to comply with rules and regulations as outlined in the Proclamation.

Thomas G. Appah, Chairman — Gary Poowegup, Vice Chairman
Phillip L. Post, Member

CERTIFICATION

I, hereby certify that the above resolution was adopted by the Ute Indian Tribe Fish and Wildlife Advisory Board at a special meeting held in Fort Duchesne, Utah, on the 27th day of November, 1989, at which time a quorum was present, and by a vote of 3 FOR, and 0 AGAINST.

ALLOIN MYORE
Director
Ute Tribe Fish and Wildlife Department

Published in the Vernal Express Jan. 17, 1990.

* * * * * * * * * * * * * * * * *
For current recorded road conditions
Dial 789-8491
Courtesy Utah Highway Patrol
UDOT 24 hour road conditions report
1-800-492-2400
* * * * * * * * * * * * * * * * *